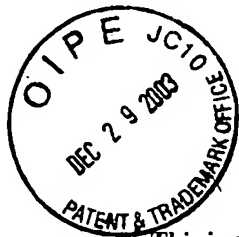




122903

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEREQUEST FOR FILING APPLICATION UNDER 37 CFR 1.53(b)EXPRESS MAIL LABEL No.: EV 330868929 USDate of Deposit: December 29, 2003This is a request for filing a ☒ Continuation ☐ Division application
under 37CFR 1.53(b) (Rule 53(b)) of prior pending application:

Inventor(s) : **Kevin S. Marchitto and Stephen T. Flock**
 Serial No. : **10/091,957**
 Filed : **March 5, 2002**
 Art Unit : **3739**
 Examiner : **David M. Shay**
 For : **REMOVABLE TIP FOR LASER DEVICE WITH SAFETY INTERLOCK (AS AMENDED)**

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

1. COPY OF PRIOR APPLICATION

Attached is a true copy of the prior application as originally filed, including:

- ☒ Abstract, 1 pgs.
- ☒ Specification and claims as originally filed (77 pgs.)
- ☒ Signed declaration or oath as originally filed
- ☒ Sheets of Drawings: 28 ☐ Informal ☒ Formal
- ☒ Power of Attorney and Revocation of Previous Powers
- ☒ Information Disclosure Statement

2. STATEMENT OF INVENTORSHIP

This Rule 53(b) application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are:

- ☒ the same
- ☐ less than all of the inventors named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are not inventor(s) of the invention being claimed in this Rule 60 application:

1. _____ 2. _____

CERTIFICATE OF MAILING

(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV330868929USExpress Mail Label No.December 29, 2003Date of DepositConnie KwonName of Person Mailing PaperConnie KwonSignature of Person Mailing Paper17510 U.S. PTO
10/747988

3. **RELATE BACK – 35 U.S.C. 120**

☒ Relate back information included in preliminary amendment or specification.

☐ Please amend the specification as follows:

[Enter continuing data here]

4. **PRIORITY CLAIM**

☐ Priority is hereby claimed under 35 U.S.C. 119/365 based on prior foreign application(s) No(s).:

_____ filed in (country) _____ on _____; and
in (country) _____ on _____, respectively.

☐ Certified copy/copies is/are attached.

☐ Certified copy/copies already filed on
in prior U.S. application, Serial No. _____, filed on _____.

5. **ASSIGNMENT**

☒ The prior application is assigned of record to: Transmedica International, Inc.

☐ Attached is an assignment to: _____.

6. **SMALL ENTITY STATUS**

☐ The Applicant claims Small Entity Status under Rules 9 and 27:

- ☐ has been filed in parent application and such status is still proper and desired (37CFR 1.28(a)).
☐ is filed herewith.

7. **MAINTENANCE OF CODEPENDENCY OF PRIOR APPLICATION**

☒ Petition and fee to extend the life of the copending prior application to 10/091,957

- ☒ is being concurrently filed in that prior application.
☐ was previously filed in that prior application.
☐ is not necessary.

8. **POWER OF ATTORNEY**

☒ The power of attorney in the prior application is to IRELL & MANELLA LLP.

☒ The power appears in the original papers of the prior application.

☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

☐ Recognize as associate attorneys:

☒ Please send all correspondence to Customer Number 29000:



IRELL & MANELLA LLP
Suite 900
1800 Avenue of the Stars
Los Angeles, CA 90067-4276
Telephone: (310) 277-1010
Facsimile: (310) 277-7199

Please direct all inquiries to Carol A. Schneider, at the above customer number.

9. AMENDMENT

☐ For the purpose of reducing the filing fee per MPEP 506 and 607, please enter the following claim cancellations before calculating the filing fee (do not cancel all claims) FIRST PRELIMINARY AMENDMENT:

☒ Preliminary amendment attached.

10. FEE CALCULATION

THE FOLLOWING FILING FEE IS BASED ON CLAIMS
REMAINING AFTER ENTRY OF PRELIMINARY AMENDMENT
PER MPEP § 506 AND § 607


	Basic Filing Fee	\$770.00
Total Effective Claims <u>19</u> - 20 = <u>0</u> x \$18.00		0.00
Independent Claims <u>0</u> - 3 = <u>0</u> x \$86.00		0.00
If any <u>proper</u> multiple dependent claim (ignore improper) is present, add \$280.00		0
	Subtotal	770.00
If Small Entity claim is present, enter one-half (1/2) of subtotal and <u>subtract.</u>		- 0.00
	Total Filing Fee	\$770.00

Please charge Irell & Manella's Deposit Account No. 09-0946 in the amount of \$770.00.

No additional fees are believed to be due. An extension of time has been requested by separate paper in the parent application 10/091,957, making the parent application copending with this continuation application. Please charge any required petition fees, and any other fees, except for payment of the issue fee, and charge any underpayment or credit any overpayment during the prosecution of this application to our **Deposit account No. 09-0946**.

Respectfully Submitted,

Dated: December 29, 2003



Carol A. Schneider, Ph.D., JD.
Registration No. 34,923

IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067
Telephone: (310) 277-1010
Facsimile: (310) 203-7199
E-mail: cschneider@irell.com